

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SHAWNA MAE SMITH,

Defendant.

CR 18-13-BLG-SPW-TJC

CR 18-29-BLG-SPW-TJC

**FINDINGS AND  
RECOMMENDATION OF  
U.S. MAGISTRATE JUDGE**

The Defendant, by consent, appeared before me under Fed. R. Crim. P. 11 and entered a plea of guilty to: (1) the Indictment in CR-18-13-BLG-SPW, which charges the crime of felon in possession of a firearm and ammunition, in violation of 18 U.S.C. § 922(g)(1); and (2) the Indictment in CR-18-29-BLG-SPW, which charges the crime of possession with intent to distribute methamphetamine, in violation of 21 U.S.C. § 841(a)(1).

After examining the Defendant under oath, the Court determined:

1. That the Defendant is fully competent and capable of entering an informed and voluntary plea to the criminal offenses charged against her;
2. That the Defendant is aware of the nature of the charges against her and the consequences of pleading guilty to the charges;

3. That the Defendant fully understands her pertinent constitutional rights and the extent to which she is waiving those rights by pleading guilty to the criminal offenses charged against her; and

4. That her plea of guilty to the criminal offenses charged against her is knowingly and voluntarily entered, and is supported by independent factual grounds sufficient to prove each of the essential elements of the offenses charged.

The Court further concludes that the Defendant had adequate time to review the Plea Agreement with counsel, that Defendant fully understands each and every provision of the agreement and that all of the statements in the Plea Agreement are true.

Therefore, I recommend that the Defendant be adjudged guilty of: (1) the charge in the Indictment in CR-18-13-BLG-SPW, and (2) the charge in the Indictment in CR-18-29-BLG-SPW, and that sentence be imposed.

Objections to these Findings and Recommendation are waived unless filed and served within fourteen (14) days after the filing of the Findings and Recommendation. 28 U.S.C. § 636(b)(1)(B); Fed. R. Crim. P 59(b)(2).

DATED this 16th day of July, 2018.

  
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TIMOTHY J. CAVAN  
United States Magistrate Judge